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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P4146	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/FI2004/000609	International filing date (day/month/year) 13.10.2004	Priority date (day/month/year) 14.10.2003
International Patent Classification (IPC) or national classification and IPC B41M7/00, B65D85/60, D21H27/10		
Applicant AHLSTROM RESEARCH AND SERVICES et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 13 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input checked="" type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input checked="" type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 17.06.2005	Date of completion of this report 03.01.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Nestby, K Telephone No. +49 89 2399-8625	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1, 4, 6-8	as originally filed
3, 5, 9	received on 17.06.2005 with letter of 10.06.2005
2	filed with telefax on 15.11.2005
2a, 5a, 6a	filed with telefax on 19.12.2005

Claims, Numbers

1-28	filed with telefax on 19.12.2005
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Drawings, Sheets

1/6-6/6	as originally filed
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- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☒ the claims, Nos. 23, 24
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:
- ☐ the entire international application,
 - ☒ claims Nos. 23,24
because:
 - ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):
 - ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
 - ☒ the claims, or said claims Nos. 23,24 are so inadequately supported by the description that no meaningful opinion could be formed.
 - ☐ no international search report has been established for the said claims Nos.
 - ☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:
 - the written form ☐ has not been furnished
 - ☐ does not comply with the standard
 - the computer readable form ☐ has not been furnished
 - ☐ does not comply with the standard
 - ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
 - ☐ See separate sheet for further details

**INTERNATIONAL PRELIMINARY REPORT
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-22,25-28
	No: Claims	
Inventive step (IS)	Yes: Claims	1-22,25-28
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-22,25-28
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item I

Basis of the report

1. The amendments filed with the telefax dated 19.12.2005 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT. The amendments concerned are the following:

Claims 23 and 24, of which the particular confectionary paper described has no basis in the description, examples or figures.

Re Item III

Non-establishment of opinion

2. See the foregoing item I

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

3. The subject-matter of claims 1 to 22, 25 to 28 is new (Article 33(2) PCT) and is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:
 - 3.1 The only document cited against claims 1 to 9 ("Cold sealable barrier paper") is US-A-5 429 294 (D2) which discloses a cold sealable paper coated with aqueous acrylic resin based compositions (column 2, lines 56-66). The subject-matter of claim 1 differs from D1 in that the paper is printed and that the coating mixture comprises less than 5% of wax. The components A, B, C (see the example) of the composition are coated on the paper in order to avoid water absorption by a corrugated or folding box; a water vapour barrier is not described.
 - 3.2 The only document cited against claims 10 to 18 ("Heat sealable barrier paper") is DE-A-44 45 193 (D1).
However, the barrier paper disclosed in D1 includes a metal layer. According to the

present invention, heat sealable barrier papers without a metal layer are described.

- 3.3 The only document cited against claims 19 to 22, 25 to 28 is FR-A-2 745 553 (D3) which discloses a barrier paper including a metal layer (reference 8 in the drawing). However, according to the present invention water vapour barrier properties are obtained without using metals.

Re Item VII

Certain defects in the international application

4. The description is not in conformity with the claims as required by Rule 5.1(a)(iii) PCT.
- 5.1 Claim 3 comprises all the features of claim 2 and is therefore not appropriately formulated as a claim dependent on the latter (Rule 6.4 PCT).
- 5.2 By the same token, claim 12 comprises all the features of claim 11; claim 12 should hence be formulated as a claim dependent on claim 11.
- 5.3 Claim 21 should be made dependent on claim 20.

Re Item VIII

Certain observations on the international application

6. The features of claim 13 would appear to be disclosed in lines 17-19 of page 4. However, it follows clearly from lines 20 to 26 on that same page that the features of claim 13 are implicitly present in claim 10. Therefore, claim 13 is redundant and should be deleted (Art. 6 PCT - conciseness of claims).